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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/751,424 | 12/29/2000 | Min Zhu | M-8854 US | 7614 |
| 34313 | 7590 | 02/08/2006 | EXAMINER | |
| ORRICK, HERRINGTON & SUTCLIFFE, LLP | | | COULTER, KENNETH R | |
| IP PROSECUTION DEPARTMENT | | | ART UNIT | PAPER NUMBER |
| 4 PARK PLAZA | | | 2141 | |
| SUITE 1600 | | | | |
| IRVINE, CA 92614-2558 | | | | |

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/751,424 | ZHU ET AL. | |
| | Examiner | Art Unit | |
| | Kenneth R. Coulter | 2141 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 November 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 19-25 and 31-33 is/are allowed.
- 6) Claim(s) 26-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 October 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 26 - 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Simonoff et al. (U.S. Pat. No. 6,463,460) (Interactive Communication System Permitting Increased Collaboration Between Users).

- 2.1 Regarding claim 26, Simonoff discloses a method for collaborative computing in a distributed system having a web zone and a meeting zone, the method comprising:
 - at the web zone allowing a plurality of client computers to access the distributed system via a global-area network (Fig. 3, item 400; col. 9, lines 3 – 7 "Preferably, link 400 is a local area network (LAN), although the **link 400** advantageously **can be a wide area network (WAN)** or other interconnection facility such as a frame-based satellite network **or even the Internet.**");

at the meeting zone supporting an on-line conference among the plurality of client computers, wherein supporting the on-line conference comprises:

launching a plurality of collaborative servers (Figs. 2, 3);

hosting the on-line conference on the collaborative servers in the meeting zone (Fig. 3; col. 9, lines 21 - 45);

managing the on-line conference in the meeting zone (Fig. 3; col. 9, lines 21 - 45);

supporting at least one service for the on-line conference (Abstract "White Board"; Figs. 3, 4; col. 6, lines 57 - 66);

detecting failures of the collaborative servers (col. 15, lines 43 – 54; col. 14, lines 44 - 60); and

upon detecting failure of one of the collaborative servers, launching a new collaborative server (col. 15, lines 43 – 54 "the White Board client 301a advantageously can shift from **White Board server 102a** running on server 100a to **White Board server 102b** running on server 100b in the event of a failure of either server 100a or **White Board server 102a**, i.e., the **White Board server 102a** can 'fail over' to the **White Board server 102b.**"; col. 14, lines 44 - 60).

2.2 Per claim 27, Simonoff teaches the method of claim 26 wherein a plurality of logical servers are used for supporting the on-line conference (Fig. 3; col. 9, lines 21 - 45).

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2.3 Regarding claim 28, Simonoff discloses the method of claim 27 comprising monitoring each logical server (Fig. 6; col. 10, lines 12 - 22).

2.4 Per claim 29, Simonoff teaches the method of claim 27 comprising supporting communication among the logical servers (Fig. 3; col. 9, lines 21 - 45).

2.5 Regarding claim 30, Simonoff discloses the method of claim 26 comprising maintaining status information for the meeting zone (Fig. 3; col. 9, lines 21 - 45).

Response to Arguments

3. Applicant's arguments with respect to claims 26 - 30 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. Claims 19 – 25, 31, 32, and 33 are allowed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R. Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 549.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER
PRIMARY EXAMINER
Kenneth Coulter

krc